



Rev.Applc.(MD)No.150 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

Rev.Applc.(MD) No.150 of 2024

A.P.Parthiban .. Applicant

Vs.

1. The Additional Chief Secretary
Commissioner of Revenue Administration
Chepauk, Chennai – 05.

2. The District Collector
District Collector's Office
Sivagangai.

3. The District Revenue Officer
Sivagangai District. .. Respondents

Prayer: Application filed under Order XLVII Rule 1 and 2 of the Code of Civil Procedure r/w Section 114 of the Code of Civil Procedure, against the order dated 02.07.2024 made in W.A.(MD).No.1074 of 2024.

For the Applicant : Mr.C.Arul Vadivel Sekar
Senior Counsel
for M/s.C.Arul Vadivel Associates

For the Respondents : Mr.Amjad Khan
Government Advocate



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JUDGMENT

(Judgment of the Court was made by R.SURESH KUMAR, J.)

This review application has been filed seeking review of the order passed by this Court dated 02.07.2024 made in W.A.(MD).No. 1074 of 2024.

2. The review applicant was the writ petitioner, who approached the Writ Court seeking promotion by including him in the Panel, fit for promotion for the year 2012 as Assistant, as that was rejected earlier by the Department by including his name in the 2014 Panel because of his completion of Junior Assistant Training belatedly. That issue was considered and the writ petition was allowed by the Writ Court, as against which, the Government filed the said W.A.(MD).No.1074 of 2024.

3. We, in our order dated 02.07.2024, which is sought to be reviewed herein, having considered the factual matrix and also the order which was impugned before the Division Bench, has concluded that the decision taken by the Writ Court has to be sustained and accordingly, while confirming the order passed by the Writ Court, we were pleased to give a small modification to the following effect:



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"13.However, it is made clear that since the petitioner has completed the probation only on 01.03.2012 and the said M.Uma Meenakshi already completed the probation on 10.12.2011 and she also has been since included in the panel fit for promotion with the crucial date as 15.03.2013, the respondent/writ petitioner cannot seek seniority marching over the said individual, as he has completed only on 01.03.2012, therefore, the next crucial date falling is 15.03.2013, that date he should be included in the panel. Accordingly, his seniority notionally be fixed and corresponding promotional and other service benefits be conferred on him."

4. One individual, namely *M.Uma Meenakshi*, since has completed the probation on 10.12.2011, whereas, admittedly, the present applicant, namely, *A.P.Parthiban*, completed his probation only on 01.03.2012. If the decision taken by the Writ Court is to be accepted, the present applicant, though has completed the probation belatedly, would march over the said individual who admittedly completed probation on 10.12.2011, therefore, she was immediately sent by the employer to the Junior Assistant Training and accordingly, she has been included in the 2013 Panel and therefore, the said modification alone was made by our order dated 02.07.2024. In fact, in this context, the present review application has been filed.



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5. *Mr.C.Arul Vadivel Sekar*, learned Senior Counsel appearing for the present review applicant, who was the writ petitioner, has relied upon the Government Order in G.O.(2D).No.277, Revenue Department, dated 27.12.2022 and would submit that, since there has been no specific Rule available that only after completion of the probation alone those employees would be sent for such training, insofar as the individual cases dealt with in the said Government Order, that even without having completed probation, the Junior Assistant Training since could be given to those employees, the said Government Order has given such relaxation to some individual employees.

6. Relying upon the said Government Order, the learned Senior Counsel would contend that, since there has been no specific Rule that only after completion of the probation, the Junior Assistant Training could be given to the employees, is concerned, such relaxation since has been issued by the Government in the said Government Order referred to above, in the present case also, such relaxation could be possibly given by the Government in the case of the present review applicant, as he has completed the probation admittedly on 01.03.2012 and only thereafter if he became eligible to be sent for training, he would be losing one Panel year to get



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such promotion, as instead of 2012, since he got 2013, his further promotion is getting affected, he contended.

7. We have heard *Mr.Amjad Khan*, learned Government Advocate appearing for the respondents, who would submit that, there is no general Rule for giving such relaxation and if at all any specific Government Order, as that of G.O.(2D).No.277 is issued by the Government in respect of some individuals considering their cases alone, that cannot be taken as a precedent and based on which, the present review applicant cannot seek review of the order dated 02.07.2024 passed by this Court, he contended.

8. We have considered the said submissions made by both sides.

9. As has been stated by the learned Government Advocate appearing for the respondents, that there has been no general Rule enabling the employees to seek such training even prior to the completion of probation. Because of the belated completion of the probation, if that sending of the training has got belated, the aftermath of such belated training has to be shouldered only by the employee, however, in a specific case, if the Government is willing



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to come forward to give such relaxation, as has been given to some individuals in G.O.(2D).No.277 dated 27.12.2022, it is open to the present review applicant to approach the Government/employer to seek such relaxation, as in the case of G.O.(2D).No.277 dated 27.12.2024, Revenue Department, and in that case, the order passed by this Court in W.A.(MD)No.1074 of 2024, which is sought to be reviewed herein, shall not stand in the way to take an independent decision by the Government.

10. With these observations, the present review application is dismissed. However, there shall be no order as to costs. Consequently, C.M.P.(MD)No.16809 of 2024 is closed.

(R.S.K., J.) (G.A.M., J)
14.10.2025

Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
Internet:Yes/No
Index:Yes/No

(drm)



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